



**Testimony
Bart Russell, Executive Director
Connecticut Council of Small Towns
Before the Commerce Committee
March 6, 2012**

**Re: HB-5341, AN ACT CONCERNING ADDITIONAL BUSINESS RIGHTS
RELATED TO ZONING ENFORCEMENTS**

The Connecticut Council of Small Towns (COST) opposes HB-5341, which would impose new unfunded mandates on municipal officials by requiring the secretary or clerk of each regulatory board to develop and make available to the public printed copies of a step-by-step explanation of the process for obtaining a certificate of occupancy. The bill also allows the purchaser of a business/property to request the official charged with the enforcement of such regulations to walk-through the business/property and provide the purchaser with a preliminary notice of regulations that may apply to the business or property.

Officials in small towns work diligently to assist the public with information regarding compliance with various local zoning laws, inland wetland ordinances, etc. However, this bill imposes a new requirement on towns to develop and print step-by-step instructions for obtaining a CO, a process that the vast majority of interested parties understand without a state mandated instruction booklet. In addition, this may require consultation with local counsel to ensure that it is consistent with local laws and recent court decisions. This requirement also sets an onerous precedent by imposing an obligation on towns to provide step-by-step instructions on numerous local zoning and land use laws. Small towns simply do not have the resources to prepare state-mandated publications that its residents do not need or want and which may require legal consultation.

In addition, requiring the official charged with enforcement of such regulations to walk through the business or property to provide them with a copy of the regulations is ludicrous. Officials in small towns provide greater benefit to taxpayers by being accessible at town hall during office hours. This bill would take them out of the office to provide information to purchasers that could easily be accessed at town hall or online without disrupting the availability of key personnel needed to provide services to other town residents and businesses.

COST therefore urges lawmakers to oppose this bill.

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